Jenkens & Gilchrist, PC

Customer No.: 30222

PATENT

47099-00148USPT

# APPLICATION FOR UNITED STATES LETTERS PATENT

**FOR** 

# **EGG CARTON**

BY

# ALAN P. ANDREWS DAVID FURSTOSS

## **EXPRESS MAIL MAILING LABEL**

NUMBER: <u>EL 831726231US</u> DATE: <u>December 31, 2003</u>

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Corinne L. Roempage

#### **EGG CARTON**

#### FIELD OF THE INVENTION

5

10

20

25

This invention is directed generally to egg cartons, and more particularly to an egg carton having a two-way locking mechanism.

## **BACKGROUND OF THE INVENTION**

Egg cartons are common in grocery stores around the world. Egg cartons have been known to open accidentally during handling, causing the contents to spill from the carton. This accidental opening must be accounted for in the design of the carton.

Additionally, eggs are placed into cartons while they are still warm. These filled cartons are then placed into refrigerating units to cool the eggs to acceptable temperatures. It is in the producers' and distributors' best interest to cool the eggs as quickly and efficiently as possible, and to minimize the effects of condensation during cooling and maintain egg quality. Thus, a need exists for a newly designed egg carton.

## **SUMMARY OF THE INVENTION**

According to one embodiment of the invention, an egg carton with a two-way closure mechanism for securely closing the carton is disclosed. The egg carton comprises a base having a plurality of egg cells, the base being attached to a lid and locking flap by at least one hinge member. The lid has a plurality of closing apertures adapted to receive a plurality of buttons located on the locking flap. The lid further has an outer closure mechanism adapted to interlock with an inner closure mechanism located on the locking flap. The inner and outer closure mechanisms are designed so that a force on the exterior of the lid – in the direction required to disengage the buttons from the closing apertures – will prevent the inner and outer closure mechanisms from disengaging.

In another embodiment, an egg carton is equipped with a plurality of hinge members, wherein the first hinge member is substantially centered along the longitudinal dimension of the egg carton and second and third hinge members are offset from the first hinge member along the longitudinal dimension. The hinge members comprise a first end wall attached to a first container portion, wherein the first container portion is a lid

having an upper lip, a second end wall attached to a second container portion, wherein the second container portion is a base having a lower lip and a plurality of egg cells, and a thinned area located within the hinge member between the first end wall and the second end wall. The hinge member is adapted to ensure that the upper lip of the first container portion contacts the lower lip of the second container portion.

In another embodiment, an egg carton is equipped with a venting system. The base of the egg carton contains a plurality of egg cells, posts, and venting areas. The base of the egg carton is attached to a lid and locking flap. The lid has a plurality of closing apertures adapted to receive a plurality of buttons located on the locking flap. The closing apertures are larger in size than the buttons so as to create a plurality of venting apertures. The venting areas of the base are lower than the venting apertures of the lid.

In another embodiment, a container is secured by positioning a lock flap in a substantially upright position, moving a lid toward the upright lock flap, inserting a plurality of buttons into a plurality of closing apertures, and closing the container by interlocking an outer closure mechanism and an inner closure mechanism, wherein the plurality of buttons extend in a first direction and a member of the outer closure mechanism extends in a second direction approximately opposite the buttons.

## **BRIEF DESCRIPTION OF THE DRAWINGS**

In the drawings:

20

25

- FIG. 1 is a top view of an open egg carton according to one embodiment of the present invention.
- FIG. 2 is a perspective view of the egg carton of FIG. 1, in a partially opened configuration.
  - FIG. 3 is a perspective view of the egg carton of FIG. 1, in a closed configuration.
  - FIG. 4a is a cross sectional view of a reciprocal locking mechanism.
- FIG. 4b is a cross sectional view of a reciprocal locking mechanism according to another embodiment of the present invention.
  - FIG. 5a is a side view of the egg carton of FIG. 1, in a closed configuration.
- FIG. 5b is a side view of the egg carton of FIG. 5a after a user applies an inward pressure to the buttons.

FIG. 5c is a side view of the egg carton of FIG. 5b after a user begins to open the carton.

FIG. 6a is a perspective view of an open hinge member according to one embodiment of the present invention.

FIG. 6b is a perspective view of the hinge member of FIG. 6a, in a closed configuration.

## DETAILED DESCRIPTION OF THE ILLUSTRATED EMBODIMENT

Referring now to the drawings, and initially to FIG. 1, an egg carton 10 according to one embodiment of the present invention is shown. The egg carton 10 is comprised of a base 12 connected to a lid 14 and a locking flap 16. The base 12 contains a plurality of individual egg cells 18a-l adapted to seat eggs. The lid 14 and locking flap 16 are attached to the base 12 by a plurality of hinges 22 (FIGS. 6a and 6b). The lid 14 is attached to the rear of the base 12 by a plurality of hinge members 22a-c. The locking flap 16 is attached to the front of the base 12 by a plurality of hinge members 22d-f. In one embodiment, each of the lid 14 and locking flap 16 is attached to the base 12 by three hinge members 22a-f. Slits 33a and 33b are located between the base 12 and the locking flap 16 and allow the locking flap 16 to be raised into a substantially upright position. The egg carton may be composed of a plastic, thermoplastic, Styrofoam or any other suitable material.

In one embodiment, the base 12 contains twelve egg cells 18a-l positioned in two equal rows. The egg cells 18a-l contain crumple areas. The crumple areas may be formed by positioning a raised seat 19 in the center of the floor of each cell. This seat 19 forms the lowest point at which an egg can be inserted into the cell. The distance between the floor of each cell and the raised seat 19 is the crumple area and serves to protect the eggs from being damaged during loading, stacking, transporting, displaying, and using the carton.

The cells may also be equipped with projections 20 to prevent the eggs from resting against the outer wall of each cell. These projections 20 may be adapted to prevent the egg from contacting the raised seat 19 as well. In this embodiment, the raised seat 19 would still be the lowest point an egg could be inserted were the egg to be smaller

10

25

than expected or forced into the cell. The projections 20 are also useful in allowing air to circulate around substantially all of the egg. Specifically, the heat emitted and any condensation formed beneath the seated egg is allowed to escape from the crumple area into the upper areas of the carton 10.

Within each quadrant of egg cells 18a-l, a post 21 is positioned. The posts 21 comprise flat faces 24 with ridges 26 projecting downwardly from the faces 24. The ridges 26 are spaced about 90° from one another and align with the inner walls of the egg cells 18a-l. When the carton 10 is closed, the ceiling of lid 14 rests upon the faces 24 of the posts 21. Thus, the posts 21 provide vertical protection for the seated eggs and lend support to the lid 14 when the lid 14 is closed. This additional interior support is particularly useful when stacking multiple filled cartons 10.

The lid 14 is also provided with exterior support in the form of corner indentations 36. These indentations 36 provide structural integrity to the carton 10 even when multiple cartons are stacked atop the carton 10. To assist in stacking and to stabilize existing stacks, the lid 14 contains ledges 38 at each corner. The ledges 38 are adapted to receive a corner cell and prevent the stacked carton from sliding off from atop the carton 10.

The base 12 is provided with nubs 29a and 29b which help align the locking flap 16 for closing. The nubs 29a and 29b are designed to assist a user in positioning the locking flap 16 in the proper vertical position for closing the carton 10. Further, the nubs 29a and 29b serve as tensioning devices for the closures of the present invention. The locking flap 16 is provided with inner projections 31a and 31b which are adapted to rest against the nubs 29a and 29b and align the locking flap 16 for closure of the lid 14.

In one embodiment, the base 12 also contains a plurality of denesting lugs 30 which assist in the unstacking of empty cartons during labeling and when filling the carton with eggs. The use of denesting lugs 30 reduces the likelihood of a vacuum being formed between empty, stacked cartons. The denesting lugs 30 also minimize surface contact such that excessive nesting is avoided. As will be appreciated by one skilled in the art, the denesting lugs 30 can be in a variety of locations and in varying quantities. At least two configurations of denesting lugs 30 should be used and these configurations should be alternated when stacking empty cartons for shipping. In one embodiment, the

5

10

15

25

cartons 10 are equipped with three different configurations, A, B, and C. In this embodiment, the cartons would be repetitively stacked ABCABCABC, etc. In another embodiment, four different configurations are used for the denesting lugs 30.

The carton 10 is provided with a reciprocal closure mechanism 39 (FIG. 4a) for securing the lid 14 to the locking flap 16. Referring now to FIG. 4a, a reciprocal closure mechanism 39 for securing the lid 14 to the locking flap 16 is shown. The lid 14 is provided with an outer closure element 40 having an inwardly extending member 42. The outer closure element 40 is adapted to interlock with an inner closure element 44 located on the locking flap 16. The inner closure element 44 has an inwardly recessed pocket 46 adapted to receive the inwardly extending member 42. In one embodiment, the inner closure element 44 includes an outwardly extending member 48 above the recessed pocket 46.

The inwardly extending member 42 of the outer closure element 40 is received by the inwardly recessed pocket 46 of the inner closure element 44. In this position, the outwardly extending member 48 of the inner closure element 44 is located above the inwardly extending member 42 of the outer closure element 40 and further ensures the secure closure of the carton 10.

Referring now to FIG. 4b, in one embodiment of the reciprocal closure mechanism 139, the inwardly extending member 142 of the outer closure element 40 and the outwardly extending member 148 of the inner closure element 44 contain reciprocally projecting feet 149a, 149b to further ensure a secure closure. In this embodiment, the foot 149a on the inwardly extending member 142 projects upwardly and behind the foot 149b, which projects downwardly from the outwardly extending member 148. These corresponding feet 149a, 149b require a user to apply more force to open the carton; further preventing the unintentional opening of the carton during handling and shipping.

Referring now to FIG. 2, the lid 14 also contains closing apertures 50a and 50b. The closing apertures 50a, 50b are adapted to receive buttons 52a and 52b located on the locking flap 16. The buttons 52a, 50b each have a downwardly projecting foot 53a and 53b (FIG. 1) which helps secure the lid 14 to the locking flap 16. The feet 53a, 53b help prevent the buttons 52a, 52b from slipping out of the closing apertures 50a, 50b. The

15

20

25

closing apertures 50a, 50b are larger in size than the buttons 52a, 52b, thus creating venting apertures 54a and 54b above the projecting buttons 52a, 52b, as shown in FIG. 3.

The use of the closing apertures 50a, 50b and buttons 52a, 52b in combination with the reciprocal closure mechanism 39 creates a two-way closure for the egg carton 10. The inner and outer closure elements 44, 40 are designed so that a force on the exterior of the lid 14—in the direction required to disengage the buttons 52a, 52b from the closing apertures 50a, 50b—will prevent the reciprocal closure mechanism 39 from disengaging. The reciprocal closure mechanism 39 prevents the carton from accidentally opening, even when the carton 10 is picked up from the top (e.g., when a user only grasps the closed lid during lifting and handling the carton). In fact, the reciprocal closure mechanism 39 will cause the carton 10 to be even more difficult to open when a user is applying an inward force to the lid 14 (e.g., grasping the lid).

In another embodiment of the present invention, the outer closure element 40 consists of an inwardly extending locking button, similar to the outwardly extending buttons 52a, 52b shown in FIG. 2. The inwardly extending locking button of this embodiment replaces the inwardly extending member 42 shown in FIG. 2. In this embodiment, the inner closure element 44 on the locking flap 16 consists of a locking aperture, similar to the closing apertures 50a, 50b shown in FIG. 2. In this embodiment, the locking aperture replaces the inwardly recessed pocket 46 and the outwardly extending member 48 shown in FIG. 1. The inwardly extending locking button also comprises an upwardly extending foot which helps secure the locking button from disengaging from the locking aperture when the carton 10 is in its closed position. As described above, the reciprocal closure element will help prevent the carton from opening accidentally. In this embodiment, when the user applies an inward pressure to the lid 14, the locking button is forced further into the locking aperture, thus further securing the carton 10 in its closed position.

Referring now to FIGS. 5a-c, the operation of the closing devices—according to one embodiment of the present invention—on the locking flap 16 and lid 14 of an egg carton 10 are shown. FIG. 5a shows an egg carton in its closed position. The button 52a projects through the closing aperture 50a (FIG. 1). In this position, the inwardly extending member 42 of the outer closure element 40 is located within the inwardly

10

20

25

recessed pocket 46 of the inner closure element 44 (FIG. 4a). To open the carton 10, a user applies an inward pressure to the button 52a, as shown in FIG. 5b. In the embodiment illustrated in FIGS. 1-3, a user must also apply an inward pressure to the button 52b to disengage the button 52b from the closing aperture 50b, prior to, along with, or after disengaging the button 52a. When one of the buttons 52a or 52b is disengaged from the closing aperture 50a or 50b, it will remain disengaged due to the upward force supplied by the hinges 22a-c to the lid 14. The inward pressure forces the buttons 50a and 52b (FIG. 3) to disengage from the closing apertures 50a, 52b (FIG. 2). Further, the inward pressure on the buttons 50a, 50b causes the locking flap 16 to move inward, thus disengaging the inwardly extending member 42 from the inwardly recessed pocket 46. The user can then lift the lid 14 to open the carton 10, as shown in FIG. 5c.

Referring again to FIG. 1, in one embodiment, the hinge members 22d-f are adapted to create an outward tension on the locking flap 16. In this embodiment, when the carton 10 is open, the locking flap 16 will be pulled slightly outward such that the lid 14 will not be able to interlock with the locking flap 16. In this embodiment, an inward force must be applied to the locking flap 16 to position the locking flap 16 for interlocking with the lid 14, thus closing the carton 10. Once the carton 10 is closed, the outward tensioning by the hinge members 22d-f ensures that the buttons 52a, 52b remain engaged with the closing apertures 50a, 50b.

In another embodiment, when the locking flap 16 is in an upright or closed position, the nubs 29a, 29b apply an outward pressure on the locking flap 16 which ensures that the buttons 52a, 52b engage and remain engaged with the closing apertures 50a, 50b. Thus, along with the outward tensioning by the hinge members 22d-f, the nubs 29a, 29b ensure that the carton 10 is securely closed.

In one embodiment of the present invention, the egg carton 10 is provided with a venting system. Referring now to FIG. 1, the rear exterior portion of the base 12 is designed to create venting areas 34. The base 12 is equipped with a lower lip 56 which runs along the perimeter of the base 12. The lid 14 is equipped with an upper lip 58 which runs along the perimeter of the lid 14. When the lid 14 is closed, the upper lip 58 contacts the lower lip 56. However, the venting areas 34 remain unobstructed and allow the flow of air into and out from the carton 10. The front of the lower lip 56 is provided

15

20

25

with two venting holes 32a and 32b. In another embodiment, the front of the lower lip is designed to create venting areas analogous to those illustrated for the rear of the lower lip in FIG. 1. In other embodiments, slits 33a and 33b are adapted to create additional venting spaces when the locking flap 16 is substantially upright and the carton 10 is closed.

The combination of the venting holes 32a, 32b, venting areas 34, venting apertures 54a, 54b, projections 20, and venting spaces (if present) allows for faster cooling of the eggs upon placement of eggs into the carton 10. This combination of structures also assists in removing moisture and preventing condensation from forming within the carton 10. In usage, warm eggs (~80° F) may be placed into the carton 10 and the lid 14 may then be closed. The carton may then be put into a corrugated case or other shipping container. These shipping containers are then placed into a refrigerating unit, having a temperature of, for example, at or below 40° F for cooling. The venting holes 32a, 32b and venting areas 34 allow the refrigerated air to enter the carton 10. The projections 20 allow this cool air to replace the hotter air around and below the warm eggs. The heat released from the eggs rises to the top of the carton 10 where it exits through the venting apertures 54a, 54b. As the eggs continue to cool, any condensation that formed on or around the eggs is allowed to evaporate and escape in a similar manner. This configuration allows the eggs to cool along the distribution channel. This configuration also allows the eggs to cool in a quick and efficient manner, substantially free of condensation. Further, preventing condensation and allowing moisture to evaporate from the carton helps to prevent bacterial growth in the carton.

In one embodiment of the present invention, the lid 14 and locking flap 16 are each attached to the base 12 by three hinges 22a-f. In this embodiment, the lid 14 is attached to the rear of the base 12 by three hinge members 22a-c, while the locking flap 16 is attached to the front of the base 12 by three hinge members 22d-f. The central rear hinge member 22b is located at about the center of the egg carton 10, between egg cells 18c and 18d. The outside rear hinge members 22a and 22c are located on opposite sides of the central hinge member 22b and about the same distance from the central hinge member 22b. In this embodiment, the outside rear hinge members 22a and 18f. The central approximately centered in relation to the outside rear egg cells 18a and 18f. The central

25

front hinge member 22e is located on the opposite side of the base 12 as the central rear hinge member 22b. The outside front hinge members 22d and 22f are about the same distance from the central hinge member 22e and located closer to the central hinge member 22e than the center of the outside front egg cells 18g and 18l. Thus, the outside front hinge member 22d is located between egg cells 18g and 18h and the other outside front hinge member 22f is located between egg cells 18k and 18l.

Referring now to FIG. 6a, a hinge member 22 according to one embodiment of the present invention is shown. The hinge member 22 is elliptically shaped and has a first end wall 60 and a second end wall 62. The first end wall 60 is attached to a first container portion 64 and the second end wall 62 is attached to a second container portion 66. The hinge member 22 is adapted to bring the first container portion 64 into contact with the second container portion 66 upon the closing of the hinge member 22, as shown in FIG. 6b.

A thinned area 68 is located at about the center of the hinge member 22. The thinned area 68 is used to ensure that the hinge member 22 bends in the correct location, thus facilitating proper alignment of the first container portion 64 with the second container portion 66. In one embodiment, the thinned area 68 is shaped as a rectangle and located in the center of the hinge member 22. In another embodiment, the thinned area has an elliptical shape. As appreciated by those skilled in the art, the thinned area may take on a variety of alternative shapes (e.g., oval, square, diamond) depending on the design requirements, intended usage of the hinge member and container, and the thickness of the material. Further, amount of material thinned from the hinge can be varied and may effect the choice of the shape for the thinned area. According to one embodiment of the present invention, egg cartons are manufactured having a material thickness of 20 mils.

The hinge member of the present invention may be composed of plastic, thermoplastic, Styrofoam, or any other suitable material. In other embodiments of the present invention, the thinned area is actually a thickened area of sufficient thickness to allow the hinge to bend at the correct location.

As discussed earlier, in one embodiment, the lid 14 is attached to the base 12 by three separate hinge members 22a-c. The locking flap 16 is also attached to the base 12

25

by three distinct hinge members 22d-f. The use of separate hinge members 22a-f, as opposed to a continuous hinge, allows for easier closure of the carton 10. Additionally, the creation of a thinned area 68 further reduces the amount of force necessary to close the carton 10, and assures proper alignment of the lid 14 and the base 12.

However, in other embodiments, a continuous hinge is used to attach the lid 14 and the locking flap 16 to the base 12. In other embodiments, a plurality of hinge members are used to attach the lid 14 and the locking flap 16 to the base 12. In other embodiments the hinge members may take on different shapes so long as the first container portion and second container portion are brought into contact with each other. In yet other embodiments the three hinge members are positioned at different locations than previously described. One of ordinary skill in the art will recognize that the hinge members can be varied according to the specific design needs and intended usage of the container.

In other embodiments, different numbers of egg cells may be incorporated into the egg carton such that there is at least one quadrant of cells. In other embodiments, the relative directions of the closures may be reversed so long as one closure member is reciprocal to the other closure member.

While particular embodiments and applications of the present invention have been illustrated and described, it is to be understood that the invention is not limited to the precise construction and compositions disclosed herein and that various modifications, changes, and variations may be apparent from the foregoing descriptions without departing from the spirit and scope of the invention as defined in the appended claims.